

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,)
)
)
Plaintiff,) **ORDER**
)
)
vs.)
)
)
Jimmie Howard Horne, et. al.,) Case No. 1:12-cr-152-5
)
)
Defendants.)

On July 2, 2014, Defendant Jimmy Howard Horne (“Horne”) filed a “Motion for Reconsideration of Order of Detention.” Citing his father’s ailing health¹ and averring that his criminal history as presented at his detention hearing was inaccurate, he asks that he be conditionally released from custody pending trial to either his residence in Mandan, North Dakota, or a residential reentry facility so that he may care for his ailing father.

On July 14, 2014, the Government filed a response in opposition to Horne’s motion. It avers that there has been no substantial change in circumstances to warrant Horne’s release.

Although the court is not without sympathy for Horne and his father, it concludes there has not been a material change in his circumstances to warrant reconsideration of its detention order. Accordingly, Horne’s motion (Docket No. 199) is **DENIED**.

IT IS SO ORDERED.

Dated this 15th day of July, 2014.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr., Magistrate Judge
United States District Court

¹Attached to the motion is affidavit wherein Horne attests that his father: (1) suffers from both Alzheimer’s disease and chronic obstructive pulmonary disease; and (2) presently resides in a psychiatric ward in Grand Forks, North Dakota.